

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of)
)
Pan American Grain Co., Inc.)
)
Respondent)

Docket No. CWA-02-2011-3451

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG.11
2012 FEB 27 A 11:19
REGIONAL HEARING
CLERK

**Order on Motion Requesting Extension of Time
to File Response to Complainant's Motion for Leave to File Second Amended Complaint
and Respondent's Prehearing Exchange**

On January 26, 2012, the Complainant, Director of the Caribbean Environmental Protection Division of the United States Environmental Protection Agency, Region 2, submitted a Motion for Leave to File Second Amended Complaint. On February 9, 2012, Respondent submitted an unopposed motion requesting an extension of time until March 1 to file its response to the motion, on grounds that counsel for Respondent on January 12 underwent urgent medical care and home confinement, was only able to work on a limited basis and is the only attorney in her firm familiar with the case. By Order dated February 13, Respondent was granted until February 22, 2012 to file its response.

On February 22, Respondent submitted a Motion Requesting Extension of Time to Complainant's [sic] Motion for Leave to File Second Amended Complaint and Respondent's Prehearing Exchange, seeking a second extension of time to file its response to Complainant's motion and seeking additional time to file its prehearing exchange, so that both filings would be due March 22, 2012. The Motion states that the parties have been exchanging information to pursue settlement of this case but Complainant's office move has paused the negotiations until March 1, 2012. The Motion states further that an extension would allow Respondent to efficiently focus resources on settlement of this case, and that Complainant's counsel has no objection to the request.

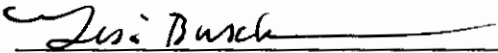
The Rules provide that the presiding officer may grant an extension of time for filing any document "upon timely motion . . . , for good cause shown, and after consideration of prejudice to other parties." 40 C.F.R. § 22.7(b).

For good cause shown, Respondent's Motion Requesting Extension of Time to File Response to Complainant's Motion for Leave to File Second Amended Complaint is **GRANTED**. In the event the parties have not filed a full executed Consent Agreement and Final Order settling this matter beforehand, Respondent shall file its Prehearing Exchange and a response to Complainant's Motion for Leave to File Second Amended Complaint **on or before March 22, 2012**.

Complainant shall file its Rebuttal Prehearing Exchange on or before **April 5, 2012.**

SO ORDERED.

Dated: February 23, 2012



M. Lisa Buschmann
Administrative Law Judge

**In the Matter of Pan American Grain Co., Inc., Respondent.
Docket No. CWA-02-2011-3451**

CERTIFICATE OF SERVICE

I hereby certify that true copies of this **Order on Motion Requesting Extension of Time to File Response to Complainant's Motion for Leave to File Second Amended Compliant and Respondent's Prehearing Exchange**, issued by M. Lisa Buschmann, Administrative Law Judge, in Docket No. CWA-02-2011-3451, were sent to the following parties on this 24th day of February 2012, in the manner indicated:


Knolyn R. Jones
Legal Staff Assistant

Original and One Copy by Regular Mail to:

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Copy by Regular Mail to:

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**Dated: February 24, 2012
Washington, DC**